

**SUPREME COURT MINUTES
TUESDAY, AUGUST 28, 2012
SAN FRANCISCO, CALIFORNIA**

S204690

**BELL (HORACE) v. COURT
OF APPEAL, FIFTH
APPELLATE DISTRICT
(BARRETT)**

Vexatious litigant application denied

The application of petitioner for leave to file Petition for Writ of Mandate is hereby denied.

S170560

E041425 Fourth Appellate District, Div. 2

**STATE OF CALIFORNIA v.
CONTINENTAL INSURANCE
COMPANY/(EMPLOYERS
INSURANCE OF WAUSAU)**

Time extended to consider modification or rehearing

The finality of the opinion in the above-entitled case is hereby extended to October 9, 2012.

S203709

C071008 Third Appellate District

**PEOPLE v. S.C. (SANCHEZ,
JR.)**

Time extended to grant or deny review

The time for granting or denying review in the above-entitled matter is hereby extended to September 28, 2012.

S044693

**PEOPLE v. WALL (RANDALL
CLARK)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Andrea G. Asaro's representation that she anticipates filing the appellant's opening brief by January 2013, counsel's request for an extension of time in which to file that brief is granted to October 26, 2012. After that date, only two further extensions totaling about 90 additional days are contemplated.

S092615**PEOPLE v. DEEN (OMAR
RICHARD)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Charles C. Ragland's representation that he anticipates filing the respondent's brief by November 26, 2012, counsel's request for an extension of time in which to file that brief is granted to October 26, 2012. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S131819**PEOPLE v. WILLIAMS
(GEORGE)**

Extension of time granted

Good cause appearing, and based upon counsel Paul J. Spiegelman's representation that he anticipates filing the appellant's opening brief by May 30, 2013, counsel's request for an extension of time in which to file that brief is granted to October 22, 2012. After that date, only four further extensions totaling about 220 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S133660**PEOPLE v. AMEZCUA
(OSWALDO) & FLORES
(JOSEPH C.)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Viet H. Nguyen's representation that he anticipates filing the respondent's brief by February 24, 2013, counsel's request for an extension of time in which to file that brief is granted to October 29, 2012. After that date, only two further extensions totaling about 120 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S137730**PEOPLE v. POWELL (TROY
LINCOLN)**

Extension of time granted

Good cause appearing, and based upon counsel R. Clayton Seaman, Jr.'s representation that he anticipates filing the appellant's opening brief by December 3, 2012, counsel's request for an extension of time in which to file that brief is granted to November 5, 2012. After that date, only one further extension totaling about 30 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S140894**PEOPLE v. MIRACLE
(JOSHUA MARTIN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 29, 2012.

S143531**PEOPLE v. LEON (JOSE
LUIS)**

Extension of time granted

Good cause appearing, and based upon Senior Deputy State Public Defender Jolie Lipsig's representation that she anticipates filing the appellant's opening brief by May 11, 2013, counsel's request for an extension of time in which to file that brief is granted to October 26, 2012. After that date, only four further extensions totaling about 200 additional days are contemplated. An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S148462**PEOPLE v. YOUNG
(JEFFREY SCOTT)**

Extension of time granted

Good cause appearing, and based upon counsel Kathy Moreno's representation that she anticipates filing the appellant's opening brief by October 26, 2012, counsel's request for an extension of time in which to file that brief is granted to October 26, 2012. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S152269**PEOPLE v. LUTHER
(JOHNATHAN ROSS)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 22, 2012.

S168204**PEOPLE v. MOSLEY (BARRY
WENDELL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 23, 2012.

S192958**ELLIOTT (MARCHAND) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Richard B. Mazer's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by October 23, 2012, counsel's request for an extension of time in which to file that document is granted to October 23, 2012. After that date, no further extension is contemplated.

S202790

F057736 Fifth Appellate District

**PEOPLE v. JOHNSON
(COREY RAY)**

Counsel appointment order filed

Upon request of appellant Corey Ray Johnson for appointment of counsel, Susan D. Shors is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S202790

F057736 Fifth Appellate District

**PEOPLE v. JOHNSON
(COREY RAY)**

Counsel appointment order filed

Upon request of appellant Joseph Kevin Dixon for appointment of counsel, Joseph C. Shipp is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S202790

F057736 Fifth Appellate District

**PEOPLE v. JOHNSON
(COREY RAY)**

Counsel appointment order filed

Upon request of appellant David Lee, Jr., for appointment of counsel, Sharon Wrubel is hereby appointed to represent appellant on the appeal now pending in this court.

Appellant's brief on the merits must be served and filed on or before thirty (30) days from the date respondent's opening brief on the merits is filed.

S192444**KAHLENBERG ON
DISCIPLINE**

Order filed

The order filed on August 7, 2011, revoking probation and suspending RITA ANN KAHLENBERG is amended to read in its entirety:

The court orders that the probation of RITA ANN KAHLENBERG, State Bar Number 200518, is revoked. The court further orders that:

1. RITA ANN KAHLENBERG is suspended from the practice of law for a minimum of one year, and she will remain suspended until the following requirements are satisfied:
 - i. She makes restitution to Zulma Rauda in the amount of \$2,000 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Zulma Rauda, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles;
 - ii. She makes restitution to Stacie Jennings in the amount of \$3,500 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Stacie Jennings, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - iii. If she remains suspended for two years or more as a result of not satisfying the preceding conditions, she must also provide proof to the State Bar Court of her rehabilitation, fitness to practice and learning and ability in the general law before her suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. Within one year after the effective date of this order, RITA ANN KAHLENBERG must submit to the Office of Probation satisfactory evidence of completion of the State Bar's Ethics School and passage of the test given at the end of that session.
3. RITA ANN KAHLENBERG is given credit towards the one-year suspension for the period of involuntary inactive enrollment which commenced on April 23, 2012.

RITA ANN KAHLENBERG must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194121

D056943 Fourth Appellate District, Div. 1

**ELK HILLS POWER LLC v.
BOARD OF EQUALIZATION**

Order filed

The application of Elk Hills Power, LLC to file a reply to the California Board of Equalization's Opposition to Motion for Judicial Notice is hereby granted.

S204557**RODGERS (OTIS LEE) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S204595**CANNON (TYRRALL
FARROW) v. S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S203566**ROBERTSON ON
DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JAMES WILLIAM ROBERTSON, State Bar Number 140969, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JAMES WILLIAM ROBERTSON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S203569**PAULSON ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that KENDALL RICHARD PAULSON, State Bar Number 120688, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

KENDALL RICHARD PAULSON must make restitution to Carl Lovegren in the amount of \$95,000 plus 10 percent interest per year from December 10, 2008. Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

KENDALL RICHARD PAULSON must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S203576**KNISS ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that JON RANDOLPH KNISS, State Bar Number 141454, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

JON RANDOLPH KNISS must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S203661**LOGAN ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT WARREN LOGAN, State Bar Number 198922, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. ROBERT WARREN LOGAN is suspended from the practice of law for a minimum of the first nine months of probation, and he will remain suspended until the following requirements are satisfied:
 - i. He makes restitution to Donald Crumpacker in the amount of \$1,500 plus 10 percent interest per year from May 10, 2010 (or reimburses the Client Security Fund, to the extent of any payment from the fund to Donald Crumpacker, in accordance with Business and Professions Code section 6140.5) and furnishes satisfactory proof to the State Bar's Office of Probation in Los Angeles; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ROBERT WARREN LOGAN must also comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on April 16, 2012.
3. At the expiration of the period of probation, if ROBERT WARREN LOGAN has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

ROBERT WARREN LOGAN must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or

suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S203662**KHAWAR ON DISCIPLINE**

Recommended discipline imposed

The court orders that KAMRAN A. KHAWAR, State Bar Number 216551, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. KAMRAN A. KHAWAR is suspended from the practice of law for the first 60 days of probation;
2. KAMRAN A. KHAWAR must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 11, 2012; and
3. At the expiration of the period of probation, if KAMRAN A. KHAWAR has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

KAMRAN A. KHAWAR must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with membership fees for each of the years 2013 and 2014. If KAMRAN A. KHAWAR fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S203663**ELLIS ON DISCIPLINE**

Recommended discipline imposed

The court orders that AARON MICHAEL ELLIS, State Bar Number 248862, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. AARON MICHAEL ELLIS is suspended from the practice of law for the first six months of probation;
2. AARON MICHAEL ELLIS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 10, 2012; and
3. At the expiration of the period of probation, if AARON MICHAEL ELLIS has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied

and that suspension will be terminated.

AARON MICHAEL ELLIS must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

AARON MICHAEL ELLIS must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S203664**DESBROSSES ON
DISCIPLINE**

Recommended discipline imposed

The court orders that FABRICE JOHN DESBROSSES, State Bar Number 175640, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. FABRICE JOHN DESBROSSES is suspended from the practice of law for the first four months of probation;
2. FABRICE JOHN DESBROSSES must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 12, 2012; and
3. At the expiration of the period of probation, if FABRICE JOHN DESBROSSES has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

FABRICE JOHN DESBROSSES must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2013 and 2014. If FABRICE JOHN DESBROSSES fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S203668**BAKER ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that MICHAEL BRUCE BAKER, State Bar Number 53099, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

MICHAEL BRUCE BAKER must make restitution to the following payees:

- (1) Deyba Perez in the amount of \$10,900.67 plus 10 percent interest per year from November 26, 2008;
- (2) James Smith in the amount of \$5,360 plus 10 percent interest per year from June 30, 2009;
- (3) Anwar McKenny in the amount of \$871 plus 10 percent interest per year from June 30, 2009;
- (4) Isidro Noyola in the amount of \$3,685 plus 10 percent interest per year from July 21, 2009;
- (5) Krystal Salisbury in the amount of \$3,919.50 plus 10 percent interest per year from December 31, 2008;
- (6) Anthony Avery in the amount of \$4,355 plus 10 percent interest per year from May 29, 2009;
- (7) Debra Fenceroy in the amount of \$10,050 plus 10 percent interest per year from May 29, 2009; and
- (8) Leroy Young in the amount of \$662.36 plus 10 percent interest per year from May 29, 2009.

Any restitution owed to the Client Security Fund is enforceable as provided in Business and Professions Code section 6140.5, subdivisions (c) and (d).

MICHAEL BRUCE BAKER must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

A135396

First Appellate District, Div. 3

**WACHOVIA FINANCIAL
SERVICES v. COUNTY OF
CONTRA COSTA**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Three to Division Two.

**BAR MISC. 4186 IN THE MATTER OF THE APPLICATION OF THE COMMITTEE
OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA
FOR ADMISSION OF ATTORNEYS (MOTION NO. 1,042)**

The written motion of the Committee of Bar Examiners that the following named applicants, who have fulfilled the requirements for admission to practice law in the State of California, be admitted to the practice of law in this state is hereby granted, with permission to the applicants to take the oath before a competent officer at another time and place:

(SEE ORIGINAL APPLICATION FOR THE LIST OF NAMES ATTACHED.)

